

IN THE SENATE

SENATE BILL NO. 1356

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO OUTFITTERS AND GUIDES; AMENDING SECTION 36-2103, IDAHO CODE, TO DELETE DUPLICATIVE VERBIAGE, TO PROVIDE AN EXCEPTION TO APPLICABILITY OF SPECIFIED LAW RELATING TO CERTAIN COLLEGES AND UNIVERSITIES, INCLUDING EMPLOYEES AND STUDENTS AND TO PROVIDE CONDITIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-2103, Idaho Code, be, and the same is hereby amended to read as follows:

36-2103. EXCEPTIONS. The foregoing definitions of the terms "outfitter" and "guide" will not apply to:

(1) ~~A~~ person who furnishes, rents or leases, whether or not for compensation or gain or promise thereof, a pack or saddle horse, or other equipment, to a hunter or a fisherman. A person so furnishing, renting or leasing a pack or saddle horse or other equipment, shall not be considered an "outfitter" or "guide" if, on an incidental basis, they accompany a hunter, not to include extended camping, for the purpose of maintaining the safety and well-being of the livestock used to retrieve harvested big game.

~~(2) Additionally, the foregoing definition of "outfitter" and "guide" shall not apply to members of a nonprofit organization if the organization meets the following criteria: (i) it is exempt from the payment of federal income taxes under section 501(c)(3) of the Internal Revenue Code; (ii) its purpose is to provide outdoor experiences to young persons under twenty-one (21) years of age and to its leaders; and (iii) it provides outfitting and guiding services to its own bona fide members on a not for profit basis. If the members of the nonprofit organization provide outfitting or guiding services to persons who are not its members and leaders, the provisions of this chapter shall apply to that organization, its members and leaders.~~

(3) A college or university accredited by the northwest commission on colleges and universities, including its employees and students, providing outdoor experiences exclusively as part of an approved course or curriculum in which they are currently engaged, and involving only employees and students of the college or university. This exception shall not apply to a student or students unless they are acting under the explicit authorization and direction of an employee of the college or university.